

### **REMARKS**

The present invention is a method of encoding a video signal representing a sequence of pictures to form an encoded video signal, a video encoder, a video codec, multimedia system, a method of video decoding, a video decoder, a portable electronic device incorporating a video encoder, the multimedia system including a video codec, a portable electronic device incorporating a video decoder, and a system comprising a video encoder and a video decoder. A method of encoding a video signal representing a sequence of pictures to form an encoded video signal in accordance with an embodiment of the invention includes receiving a first picture or a part thereof, encoding first picture or said part thereof using a first encoding mode without reference to another picture of the sequence to form a first encoded representation of the first picture or said part thereof, and encoding said first picture or said part thereof using a second encoding mode, with reference to another picture of the sequence to produce a corresponding temporally predicted second encoding representation of the first picture or said part thereof.

Reconsideration of the restriction requirement is respectfully requested. Submitted herewith is a system claim containing the subject matter of claim 15 as previously presented and claims 10, 11 and 14 pertaining to video decoding which have been previously removed by the Examiner's restriction requirement. In view of the arguments pertaining to the patentability of the encoding methodology, as set forth in all of the claims, including the claims pertaining to decoding, it is requested that the Examiner reconsider the finality of the restriction requirement and permit examination of those claims which are patentable for the reasons set forth below.

Claim 15 stands objected to for improper multiple dependency. The subject matter of claim 15 has been rewritten to recite the subject matter of claims 6 and 11 which the Examiner considered to be an improper multiple dependent claim.

Claims 1-7 and 9 stand rejected under 35 U.S.C. §102 as being unpatentable over United States Patent 6,591,041 (Ueda). These grounds of rejection are traversed for the following reasons.

Each of the independent claims 1 and 6-15 recites, inter alia, substantively the encoding of a video signal representing a sequence of pictures to form an encoded video signal from a first picture or a part thereof using a first encoding mode and encoding the first picture or the part thereof using a second encoding mode with reference to another picture of the sequence to produce the corresponding temporally predicted second encoded representation of the first picture or the part thereof. This subject matter has no counterpart in Ueda.

Ueda discloses in the referenced portions of column 2 and column 4, upon which the Examiner has relied, the encoding of a moving picture into INTRA-frames, a part of frames sandwiched between contiguous INTRA-frames into forward predicted frames and frames sandwiched between a forward predictive frame and another forward predictive frame or an INTRA-frame into a bidirectionally predictive frames which are respectively referred to as I, P, B frames. This encoding methodology utilizes only a single encoding mode in contrast to the claimed invention which provides for encoding of a picture or a part thereof with first and second encoding modes.

It is submitted that a person of ordinary skill in the art would not be led to modify the teachings of Ueda to arrive at the subject matter of claims 1-7 and 9.

Claims 8, 12 and 13 stand rejected under 35 U.S.C. §103 as being unpatentable over Ueda in view of United States Patent 6,028,631 (Nakaya et al). Nakaya et al has been cited as disclosing a multimedia system and portable electronic device including a video encoder. The teachings of Nakaya et al do not cure the deficiencies noted above with respect to Ueda.

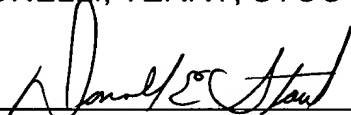
In view of the foregoing amendments and remarks, it is submitted that each of the claims in the application is in condition for allowance.

Accordingly, early allowance thereof is respectfully requested.

To the extent necessary, Applicants petition for an extension of time under 37 C.F.R. §1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 01-2135 (1344.40448X00) and please credit any excess fees to such Deposit Account.

Respectfully submitted,

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